

Docket No.: L0655.70027US01
(PATENT)


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alexei A. Erchak
Serial No.: 10/724,015
Confirmation No.: 7556
Filed: November 26, 2003
For: LIGHT EMITTING DEVICES
Examiner: J. L. Williams
Art Unit: 2879

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).

Dated: 2/19/08


Signature

RESPONSE TO SPECIES ELECTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed December 28, 2007, Applicant elects Species 2 with traverse. Claims 56, 63, 64, 67-74, 103 and 104 are readable on the elected Species.


The traversal is based on the grounds that it is believed that a search and examination of all claims would place no undue burden on the Patent Office. All claims in the application are directed to similar subject matter. Moreover, the application has included claims similar to those that are subject to the present Species Election since the response filed August 28, 2006 without the Patent Office ever requiring a Species Election (until the most recent Office Action) despite ample opportunity to do so (since August 28, 2006, Applicant has filed two amendments; conducted two Examiner Interviews; received an Office Action and a Notice of Allowance). The most recent filing (in response to the Notice of Allowance) by the Applicant was an RCE and IDS citing only 4 additional references as well as papers filed/received in another application owned by the Assignee.

At this point during prosecution and given the similarity of the claims, Applicant respectfully submits that it would not place an undue burden on the Patent Office to search and examine all claims.

Applicant requests that the Examiner contact the undersigned at (617) 646-8291 if, for any reason, the traversal is not persuasive.

Dated: February 19, 2008

Respectfully submitted,

By 

Robert H. Walat

Registration No.: 46,324

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

617.646.8000